



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

EPA Region 5 Records Ctr.



299564

October 26, 2005

REPLY TO THE ATTENTION OF

Mr. Roy Ball
Mr. Ronald Hutchens
Environ International Corp.
123 North Wacker Drive
Suite 250
Chicago, Illinois 60606

Re: Envirochem Site
Zionsville, Indiana

Dear Mr. Ball:

This letter will document an agreed modification to a portion of the Additional Work required under Section VII and Revised Exhibit A of the Consent Decree for this Site.

Revised Exhibit A presently provides for the installation of a subsurface water interception trench around the east, south and southwest portion of the site which includes a membrane barrier on one side of the trench. The purpose of the barrier is to prevent contaminated till water that may enter the trench system from the site from further migrating into an adjacent creek called Unnamed Ditch and to cut off the potential for water from Unnamed Ditch entering into the trench system, which would increase the amount of trench system water to be collected and treated. As described below, the Envirochem Trustees, on behalf of the Settling Defendants, have proposed to modify the form of the barrier used and to expedite construction of that barrier. This proposal is acceptable to the United States Environmental Protection Agency (U.S. EPA) and the State of Indiana. Consistent with the provisions of the Consent Decree, this modification will be effected by written stipulation filed with and approved by the Court.

Under this agreed modification, the Settling Defendants will install a thin barrier curtain wall along the east, south and southwest sides of the Envirochem Site, adjacent to and near the outside edges of the groundwater collection trenches as presently described in revised Exhibit A. The thin barrier curtain wall will replace the membrane that is currently provided for as a barrier to groundwater flow across the trenches in revised Exhibit A.

U.S. EPA, in consultation with the State of Indiana, has approved a design for the installation of this thin barrier curtain wall pursuant to the Consent Decree. This design will also include the installation of piezometers to help monitor the effectiveness of the barrier wall. The Settling Defendants will complete installation of the thin barrier curtain wall within 60 days after receipt of the Court's approval of the modification described above. U.S. EPA understands, however,


that if Court approval is not received in time to permit mobilization by on or around November 1, 2005, installation will be delayed until next calendar year because of contractor scheduling constraints.

The parties anticipate that this agreed modification will soon be followed by further, more significant revisions to the other elements of the Additional Work that will be reflected in: (1) an Explanation of Significant Differences (ESD) that will be prepared by U.S. EPA and made available for public comment; and (2) a revised Exhibit Z-1 and other related revisions to the Consent Decree that will be presented for Court approval. These further revisions will likely include (subject to the outcome of tests that can only be conducted after installation of the barrier wall) installing and operating soil vapor extraction trenches and installing a permeable reactive gate system. These further revisions would add an active treatment element to the original Additional Work provisions, which focused on a passive collection and containment approach.

Regardless of the timing or ultimate details of the more significant changes that are under consideration, implementing and expediting this agreed modification for the barrier will help achieve the objectives of the Additional Work as currently provided in the Consent Decree and will be consistent with and beneficial to the anticipated future revisions described above. If delay in approval of this proposed modification prevents the Settling Defendants from mobilizing their contractor in November, however, U.S. EPA will instead include the modification as part of the ESD.

Please send me, at your earliest convenience, written confirmation that the Trustees agree with the description and the timing of the modification as outlined above.

Sincerely yours,


Matthew Ohl
Remedial Project Manager

cc: Norm Bernstein, N.W. Bernstein LLC
Bruce Hamilton, IDEM
Thomas Krueger, U.S. EPA
Renita Ford, U.S. DOJ